

JOHN T. WILLIAMS (JW-9928)  
JASON NASH (*admitted pro hac vice*)  
HINKHOUSE WILLIAMS WALSH LLP  
180 N. Stetson  
Chicago, IL 60601  
(312) 268-5767  
(312) 268-5801 (fax)

GREGORY T. CASAMENTO (GTC-5273)  
LOCKE LORD BISSELL & LIDDELL LLP  
885 Third Avenue  
New York, NY 10119  
(212) 947-4700  
(212) 947-1202 (fax)

*Attorneys for Defendant  
Mouawad USA, Inc.*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
VAN CLEEF & ARPELS, S.A. and  
VAN CLEEF & ARPELS, INC.,

Plaintiffs,

07-CV-11476 (SAS)

vs.

**MOTION TO DISMISS AMENDED  
COMPLAINT OF DEFENDANT  
MOUAWAD USA, INC.**

HEIDI KLUM GmbH and  
MOUAWAD USA, INC.

Defendants.

----- X

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, Defendant Mouawad USA, Inc. ("Mouawad") moves for an Order dismissing the Amended Complaint herein because the Amended Complaint fails to state a claim upon which relief can be granted (Fed. R. Civ. P. 12(b)(6)).

A Memorandum in Support of this Motion is being simultaneously filed herewith by Mouawad.

Date: May 19, 2008

s/John T. Williams

JOHN T. WILLIAMS (JW-9928)  
JASON NASH (*admitted pro hac vice*)  
HINKHOUSE WILLIAMS WALSH LLP  
180 N. Stetson  
Chicago, IL 60601  
(312) 268-5767  
(312) 268-5801 (fax)  
jwilliams@hww-law.com

GREGORY T. CASAMENTO (GTC-5273)  
LOCKE LORD BISSELL & LIDDELL LLP  
885 Third Avenue  
New York, NY 10119  
(212) 947-4700  
(21) 947-1202 (fax)  
gcasamento@lockelord.com

*Attorneys for Defendant  
Mouawad USA, Inc.*

**CERTIFICATE OF SERVICE**

I, John T. Williams, hereby certify that on this 19th day of May, 2008, a copy of the foregoing **MOTION TO DISMISS AMENDED COMPLAINT OF DEFENDANT MOUAWAD USA, INC.** was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/John T. Williams